

**NEW UTILITY PATENT APPLICATION  
TRANSMITTAL****(Large Entity)***(Only for new nonprovisional applications under 37 C.F.R. 1.53(b))*

Docket No. S63.2-6769

Total Pages in this Submission

*(including checks and postcard)*

54

Box Patent Application  
 Assistant Commissioner for Patents  
 Washington, D.C. 20231

Transmitted herewith for filing under 35 U.S.C. 111(a) and 37 C.F.R. 1.53(b) is a new utility patent application for an invention entitled: **IMPROVED LONGITUDINALLY FLEXIBLE EXPANDABLE STENT**

and invented by: Brian J. Brown, Michael Davis, David Friesen, Timothy J. Ley, and Sean P. Skubitz

If a **CONTINUATION APPLICATION**, check appropriate box and supply the requisite information:

☐ Continuation ☐ Divisional ☒ Continuation-in-part (CIP) of prior application No.: 08/511,076, filed August 3, 1995

Enclosed (in addition to the 4 pages of this transmittal) are:

4 pages

**Application Elements**

1. ☐ Filing fee as calculated below:

a. ☐ filing fee is NOT ENCLOSED - fee will be paid at the time of responding to the Notice of Missing Parts -- **DO NOT CHARGE DEPOSIT ACCOUNT**

b. ☒ a check in the amount of \$ 1066.00 to cover the filing fee is enclosed 1 pages

c. ☐ charge to Deposit Account as authorized at Item 2(a) on next page.

FEE CALCULATION AND CLAIMS					
For	No. Filed	No. Allowed	No. Extra	Rate	Fee
Total Claims	37	- 20 =	17	x \$18.00	\$306.00
Indep. Claims	2	- 3 =		x \$78.00	\$
BASIC FEE					\$760.00
TOTAL FILING FEE					\$1066.00

*continued on next page.....*

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**2. The Commissioner is hereby authorized to charge and credit Deposit Account No. 22-0350 as described below. A duplicate copy of this sheet is enclosed.**

- a. ☐ Charge the amount of \$\_\_\_\_ as filing fee.
- b. ☒ Credit any overpayment.
- c. ☐ Charge any additional filing fees required under 37 C.F.R. 1.16 and 1.17.
- d. ☐ Charge the issue fee set in 37 C.F.R. 1.18 at the mailing of the Notice of Allowance, pursuant to 37 C.F.R. 1.311(b).

3. ☒ Specification having 24 pages and including the following: 24 pages

- a. ☒ Application Cover Sheet - 1 page
- b. ☒ Descriptive Title of the Invention -
- c. ☐ Cross References to Related Applications *(if applicable)*
- d. ☐ Statement Regarding Federally-sponsored Research/Development *(if applicable)*
- e. ☐ Reference to Microfiche Appendix *(if applicable)*
- f. ☒ Background of the Invention
- g. ☒ Brief Summary of the Invention
- h. ☒ Brief Description of the Drawings *(if applicable)*
- i. ☒ Detailed Description
- j. ☒ Claim(s) as Classified Below - 4 pages
- k. ☒ Abstract of the Disclosure - 1 page

4. ☒ Drawing(s) *(when necessary as prescribed by 35 U.S.C. 113)* 16 sheets 16 pages

5. ☒ Oath or Declaration - 3 pages

- a. ☒ Newly executed *(original)* ☐ Unexecuted
- b. ☐ Copy from a prior application (37 C.F.R. 1.63(d)) *(for continuation/divisional application only)*

6. ☒ Separate Power of Attorney 1 pages

- ☒ 37 C.F.R. 3.73(B) Statement *(when there is an assignee and power of attorney is from assignee)*. It is hereby certified that the undersigned has authority to make this certification and has reviewed all the documents in the chain of title of the patent application identified herein and, to the best of undersigned's knowledge and belief, title is in the assignee identified in the accompanying Power of Attorney.

7. ☐ Incorporation by Reference *(usable if Box 5b is checked)*  
The entire disclosure of the prior application, from which a copy of the oath or declaration is supplied under Box 5b, is considered as being part of the disclosure of the accompanying application and is hereby incorporated by reference therein.

<b>NEW UTILITY PATENT APPLICATION TRANSMITTAL (Large Entity)</b> <i>(Only for new nonprovisional applications under 37 C.F.R. 1.53(b))</i>	Docket No. S63.2-6769
	Total Pages in this Submission <i>(including checks and postcard)</i> <b>54</b>

8. ☐ Computer Program in Microfiche (*Appendix*) \_\_\_\_\_ pages
9. ☐ Nucleotide and/or Amino Acid Sequence Submission \_\_\_\_\_ pages  
*(if applicable, all must be included)*
- a. ☐ Paper Copy
- b. ☐ Computer Readable Copy (*identical to computer copy*)
- c. ☐ Statement Verifying Identical Paper and Computer Readable Copy

### Accompanying Application Parts

10. ☒ Assignment Papers: \_\_\_\_\_ 3 \_\_\_\_\_ pages
- a. ☒ Assignment Recordation Cover Sheet (Form PTO 1595)
- b. ☒ Assignment
- c. ☒ A check in the amount of \$ 40.00 to cover the Recordal Fee
- d. ☐ Previously recorded on \_\_\_\_\_, Reel \*, Frame \*
11. ☐ English Translation Document (*if applicable*) \_\_\_\_\_ pages
12. ☐ Information Disclosure Statement: \_\_\_\_\_ pages
- a. ☐ PTO Form 1449 b. ☐ Copies of IDS Citations
13. ☐ Preliminary Amendment \_\_\_\_\_ pages
14. ☒ Acknowledgement Postcard 1 page
15. ☒ Form of Mailing - Express Mail (*Specify Label No.*): EL015803729US
16. ☐ Certified Copy of Priority Document(s) (*if foreign priority is claimed*) \_\_\_\_\_ pages
17. ☒ Additional Enclosures (*please identify below*): \_\_\_\_\_ 1 \_\_\_\_\_ pages
- ☒ Constructive Petition for Extension of Time and Fee Authorization Pursuant to 37 C.F.R. §1.136(a)(3) - 1 page
- ☐ \_\_\_\_\_

Express Mail Label No.: EL015803729US

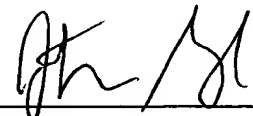
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Respectfully submitted,

VIDAS, ARRETT & STEINKRAUS

Date: November 20, 1998

By:

  
Jonathan Grad  
Registration No. 41,795

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PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE



<b>In re Application of:</b>	Brian J. Brown et al.
<b>Application No.:</b>	(Not yet assigned)
<b>Filed:</b>	(Concurrently herewith)
<b>For:</b>	IMPROVED LONGITUDINALLY FLEXIBLE EXPANDABLE STENT
<b>Examiner:</b>	(Not yet assigned)
<b>Group Art Unit:</b>	(Not yet assigned)

Box Patent Application  
Assistant Commissioner for Patents  
Washington, D.C. 20231

DOCKET NO.: S63.2-6769

**CONSTRUCTIVE PETITION FOR EXTENSION OF TIME AND FEE  
AUTHORIZATION PURSUANT TO 37 C.F.R. §1.136(a)(3)**


Applicant hereby requests that the United States Patent and Trademark Office treat any concurrent or future reply requiring a petition for an extension of time pursuant to §1.136 for its timely submission as incorporating therein a petition for an extension of time for the appropriate length of time.

Applicant authorizes the Commissioner of Patents and Trademarks to charge all required extension of time fees that have not otherwise been paid to Deposit Account No. 22-0350.

Respectfully submitted,  
VIDAS, ARRETT & STEINKRAUS

Date: November 20, 1998

By:

  
\_\_\_\_\_  
Jonathan Grad  
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